

MINUTES
of the Municipality of West Perth Council Meeting
on Monday, October 18, 2004
at 7:30 p.m. in the
Council Chambers
Municipality of West Perth

Present: All members of Council were present except Mayor Van Bakel, and Councillors Jones and Sinnamon
Staff: Pat Taylor, Clerk-Administrator; Barb Westlake-Power, Deputy Clerk
Others: Trevor McNeil, Paul Hill and Jim Scott

1. Call to Order.

The meeting was called to order, followed by the Lord's Prayer. Barb MacLean chaired the meeting, as per the direction of the motion passed at the Special Council meeting of October 12, 2004

2. Declaration of Conflict of Interest

Councillor Kehl declared a conflict with respect to the Menkveld consent application.

Addition to Agenda

Motion: 561-04

Moved by: Darryl Seigner

Seconded by: Gordon Young

THAT By-law 68-2004 being a by-law to declare lands as surplus be added to the Agenda.

Carried

3. Delegations

- i) Trevor Neil was in attendance to present information with respect the Menkveld application for consent. A draft plan for the proposed severed property was circulated for Council's review. Mr. Neil noted that there had been a request to Land Division to defer a decision, so that this additional information could be presented to West Perth; ultimately it was hoped that West Perth would endorse the application. There were additional questions regarding the side yards (proposed), lot coverage, etc. It was noted that the proposal met all the requirements, including the limited building envelope.

Motion: 562-04

Moved by: Ross McIntosh

Seconded by: Darryl Seigner

BE IT HEREBY RESOLVED THAT the Council of the Municipality of West Perth has reconsidered and does support LDC File B30/04 affecting property described as Plan 437, Lot 5, Part Lot 6 (Mitchell Ward), 201 Willow Lane, subject to the following conditions:

1. All taxes and financial obligations be paid in full
2. The house be all brick
3. That the front yard set back be an average of the two setbacks of the dwellings on each side
4. That the minimum floor space be equivalent to R2 zoning (85 sq metres).

Carried

4. Adoption of Minutes

Motion: 563-04

Moved by: Ruth Fiebig

Seconded by: Walter McKenzie

THAT Council hereby approves the following Minutes, as presented:

Regular Council meeting of October 4, 2004

Court of Revision Minutes for Maas and Rhode Municipal Drains, Oct. 4, 2004

Public meeting of October 4, 2004 (Development Charges)

And Special Council meeting of October 12, 2004

Carried

5. Business Arising from the Minutes

6. Planning

- i) Ken E. Ahrens, Re: Absence from Planning Committee
Council discussed this matter at length; Mr. Ahrens' contribution to the committee was noted.

Motion: 564-04

Moved by: Ruth Fiebig

Seconded by: Darryl Seigner

THAT Ken Ahrens be advised that a resignation from PAC is required.

Carried.

Motion: 565-04

Moved by: Darryl Seigner

Seconded by: Ruth Fiebig

THAT we advertise for one member to sit on Planning Advisory Committee.

Carried.

- ii) It was noted that one appeal for Zoning By-law Z63-2004 (Con 16, Lot 14 – Logan) was received. The applicable information will be sent to the OMB.
- iii) County of Perth, Re: Notice of Public Meeting for Plan 437, Lot 5, Part Lot 6 (Mitchell Ward) – Menkveld Consent
- iv) Minutes of the Planning Advisory Committee Meeting, dated October 13, 2004. It was noted that Dave Hanly was also in attendance for this meeting.

Motion: 566-04

Moved by: Gerry Kehl

Seconded by: Ross McIntosh

THAT the Minutes of the Planning Advisory Committee meeting dated October 13, 2004 be accepted as presented.

Carried

7. Drains

- i) Ministry of Agriculture and Food, Re: 2004/2005 Tile Loan Program – circulated for information

8. Correspondence

- i) **Province of Ontario**
- News Release October 8, 2004, Re: McGuinty Government helps employees and employers know their rights
 - Ministry of Citizenship and Immigration, Re: Accessibility for Ontarians with Disabilities Act 2004

- ii) Community Services Advisory Committee, Re: Invitation to “A Community that Cares: Creating affordable housing through Leadership, Innovation & Collaboration”
- iii) Royal Canadian Legion Branch 128 Mitchell, Re: Invitation to Remembrance Church service on November 7, 2004. Council discussed the representative who would lay wreaths for the service, and will be as follows:
 - West Perth Mayor (if available)
 - County Barb MacLean
 - Logan Gordon Young
 - Mitchell Gerry Kehl
 - Fullarton Ross McIntosh
 - Hibbert Walter McKenzie
- iv) Waste Diversion Ontario, Re: 2003 Municipal Blue Box Datacall Results
- v) Tree Canada Foundation, Re: Green Streets Canada Community
- vi) Canadian Diabetes Association (North Perth-North Wellington Branch), Re: Notice of fund raising campaign in October

Motion: 567-04

Moved by: Ruth Fiebig
Seconded by: Larry Wight
THAT correspondence not specifically dealt with be noted and filed
Carried

9. Presentation of Accounts

Motion: 568-04

Moved by: Ruth Fiebig
Seconded by: Ross McIntosh
THAT the accounts totaling \$93,770.21 be approved as presented.
Carried

10. Standing Committee Reports

- i) Minutes of the Administration Committee dated October 12, 2004. The Clerk advised that the Expansion committee has requested some clarification regarding the committee direction.

Motion: 569-04

Moved by: Ruth Fiebig
Seconded by: Gerry Kehl
THAT the Council of the Municipality of West Perth hereby endorses the Arena Expansion Committee to proceed with fundraising for the original project of a dressing room addition for the Mitchell Arena; And further that the Committee be encouraged to continue to source funding for a second ice surface, to be considered as a separate project, as per Council’s original motion of May 3, 2004 (Motion 236-2004).
Carried

Motion: 570-04

Moved by: Gerry Kehl
Seconded by: Larry Wight
THAT the Minutes of the Administration Committee meeting dated October 12, 2004 be accepted as presented, with the exception of AD144-04.
Carried

- ▶ **Heritage** Committee Meeting Minutes, dated October 14, 2004 were circulated to Council that a designation could be considered in a timely manner. Councillor Kehl spoke to the Minutes and the designation application. There was discussion regarding the process and designation implications.

Motion: 571-04

Moved by: Gerry Kehl
Seconded by: Ruth Fiebig
THAT the Heritage Committee meeting Minutes dated October 14, 2004 be accepted as presented, with the exception of the Ransberry designation and that this be forwarded to Planning for further information.

Carried

- ▶ Minutes of the **West Perth Business Affiliates Meeting**, dated October 5, 2004. Councillor Fiebig clarified her comment regarding the Communities in Bloom committee – that it is being considered for the committee to plant.
- ▶ Correspondence from Brenda Smith, regarding the Business Affiliates Meeting

Motion: 572-04

Moved by: Ruth Fiebig
Seconded by: Gordon Young
THAT the Minutes of the West Perth Business Affiliates Meeting dated October 5, 2004 be received as presented, and that the request from Brenda Smith be forwarded to the budget for 2005

Carried.

- ▶ Mitchell & Arena **Mobility Bus Committee Meeting** Minutes, dated October 14, 2004. Paul Hill and Jim Scott were in attendance to address Council regarding the minutes. Mr. Hill expressed concern to Council regarding the proposed expenditure on a new van (versus a used van). There was extensive discussion. Councillor Fiebig questioned the accuracy of the circulated minutes also. It was noted that the proposed used vehicle would be eligible for grant funding, the same as a new vehicle.

Motion: 573-04

Moved by: Ruth Fiebig
Seconded by: Larry Wight
THAT the Minutes of the Mitchell & Area Mobility Bus Committee meeting dated October 14, 2004 be approved as presented, with the exception of the recommendation to purchase a new 2004 Grand Caravan not to exceed \$25,000.00 from McLaughlins Chrysler; And that this item be referred back to committee for further consideration.

Carried.

11. Committee Reports

- i) Minutes of the Executive Committee meeting, dated October 14, 2004

Motion: 574-04

Moved by: Ruth Fiebig
Seconded by: Gerry Kehl
THAT the Minutes of the West Perth Executive Committee dated October 14, 2004 be approved as presented.

Carried.

12. By-laws

Motion: 575-04

Moved by: Ruth Fiebig
Seconded by: Larry Wight
THAT By-law 54-2004, being a by-law for drainage works (Maas Municipal Drain) be read a third time and finally passed; And that the Mayor and the Clerk be and are hereby authorized to sign and attach the Corporate seal.

Carried.

Motion: 576-04

Moved by: Walter McKenzie
Seconded by: Gordon Young
THAT By-law 55-2004, being a by-law for drainage works (Rhode Municipal Drain) be read a third time and finally passed;
And that the Mayor and the Clerk be and are hereby authorized to sign and attach the Corporate seal.
Carried.

Council had some discussion regarding the temporary appointment of a Council Council representative.

Motion:

Moved by: Gerry Kehl
Seconded by: Gordon Young
THAT Walter McKenzie be appointed to act as Council Council representative until the Mayor returns.
Motion defeated.

Motion: 577-04

Moved by: Ross McIntosh
Seconded by: Darryl Seigner
THAT we remove By-law 67-2004 from the agenda.
Carried

Motion: 578-04

Moved by: Ruth Fiebig
Seconded by: Ross McIntosh
THAT the Mover and the Seconder be authorized to introduce the following by-laws to be considered read a first and second time:
i) By-law 65-2004, being a by-law to authorize the temporary appointment of the Head of Council
ii) By-law 66-2004, being a by-law to authorize Tile Drain debentures
iii) By-law 68-2004, being a by-law to declare lands surplus.
Carried.

Motion: 579-04

Moved by: Ruth Fiebig
Seconded by: Gordon Young
THAT By-law 65-2004, being a by-law to authorize the temporary appointment of the Head of Council, be read a third time and finally passed;
And that the Mayor and the Clerk be and are hereby authorized to sign and attach the Corporate seal.
Carried

Motion: 580-04

Moved by: Darryl Seigner
Seconded by: Walter McKenzie
THAT By-law 66-2004, being a by-law to authorize Tile Drain Debentures be read a third time and finally passed;
And that the Mayor and the Clerk be and are hereby authorized to sign and attach the Corporate seal
Carried.

Motion: 581-04

Moved by: Darryl Seigner
Seconded by: Walter McKenzie
THAT By-law 68-2004, being a by-law to declare lands as surplus be read a third time and finally passed;
And that the Mayor and the Clerk be and are hereby authorized to sign and attach the Corporate seal
Carried.

13. Unfinished Business

14. New Business

i) Staff requested clarification from Council with respect to the development of the pit bull by-law. It was the consensus of Council to wait on the dog by-law(s) until such time as the Province has updated the Dog Owners Liability Act in this regard.

15. Questions from the Press

16. Closed Session

Motion: 582-04

Moved by: Ruth Fiebig
Seconded by: Darryl Seigner
THAT we move to a closed session to discuss a property matter.
Carried

Motion: 583-04

Moved by: Ruth Fiebig
Seconded by: Darryl Seigner
THAT we rise from closed session and resume regular Council Meeting.
Carried.

Motion: 584-04

Moved by: Ruth Fiebig
Seconded by: Ross McIntosh
THAT we hold an Information meeting with Fischerville Well Landowners, on Wednesday October 27, 2004 at 7:30 pm.
Carried.

To be contacted to attend – Health Unit, property owners and residents (including Hopper), PUC staff, Municipal staff and Ministry of the Environment.

Motion: 585-04

Moved by: Gordon Young
Seconded by: Ruth Fiebig
THAT the Acting Mayor and the Clerk be and are hereby authorized to sign (and initial where required), the counter offer for Agreement of Purchase and Sale.
Carried

17. Adjournment

Motion: 586-04

Moved by: Walter McKenzie
Seconded by: Ross McIntosh
THAT we do now adjourn – time 10:20 p.m.
Carried